



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

MAY 13, 2019

9:30

Calendar No. 19-67:

8217 Korman Avenue

Ward 9

Kevin Conwell

17 Notices

Darcia Lumpkin, owner, proposes to establish use as a Type A daycare in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(c) which states that childcare use in a One or Two Family Residential District is permitted if located not less than 30 feet from any adjoining premises in a residential district and subject to the review and approval of the Board of Zoning Appeals. (Filed April 12, 2019)

9:30

Calendar No. 19-070:

0000 Seymour Ave. (PPN 007-19-042) Ward 3

/Department of Public Works

Kerry McCormack

Invoice

Carmen Davilla, owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer, on March 13, 2019, to uphold the City of Cleveland's Department of Parks, Recreation, and Properties to issue invoices regarding abating nuisances at the subject property. (Filed April 15, 2019).

9:30

Calendar No. 19-71:

2905 Franklin Boulevard

Ward 3

Kerry McCormack

32 Notices

BZSAM 111, LLC. , owner, proposes to change use from office to 33 apartments in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that apartment use is not permitted in a Two-Family Residential District.
2. Section 357.08(b)(3) which states that a 20' minimum rear yard is required and a part of the building is in rear setback.
3. Section 357.09(b)(2)(C) which states that the required interior side yard is 7 feet (1/4 of the height of the building) and a 5.75 feet interior side yard is proposed.
4. Section 359.01(a) which states that substitution of nonconforming use requires Board of Zoning Appeals approval. (Filed April 16, 2019)

9:30

Calendar No. 19-72:

961 Addison Road

Ward 10

Anthony T. Hairston

10 Notices

City of Cleveland, owner, proposes to consolidate 4 parcels and build a parking lot in a B3 Semi-Industrial District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07 which states that accessory off-street parking spaces shall be provided with wheel or bumper guards. The driveway used to provide accessibility to accessory parking spaces shall be arranged to minimize traffic congestion.
2. Section 352.10 which states that a 6 foot wide landscaped frontage strip is required.
3. Section 358.05 which states that fences in the actual front yard and in side street yard shall not exceed four (4) feet in height and shall be at least 50% open and proposed fence is 6 feet tall. (Filed April 16, 2019)

9:30

Calendar No. 19-73:

3241-61 W. 63 Street

Ward 3

Kerry McCormack

20 Notices

Moria Osborne, owner, proposes to establish use for outside storage/stockpiling in a C1 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. 345.03(c)(33) which states that any material stored in an unclosed premises to a height greater than four feet above grade level shall be surrounded by a substantial seven feet tall wall or fence erected to observe all required building lines.
2. Section 352.09 which states that a 10 foot wide transition strip is required at the rear where the lot abuts a Two Family District.
3. Section 349.04(j) which states that 1 space for each 2 employees expected to be on the premises during the largest work shift period or total parking area equivalent to 10% of the gross floor area, whichever is greater.
4. Section 349.07 (a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash. No drainage or specific paving detail is shown. Driveway and aprons must also be shown on plan. (Filed April 16, 2019)

9:30

Calendar No. 19-74:

3122 West 16 Street

Ward 14

Jasmine Santana

10 Notices

Peter Arian, owner, proposes to erect a 5' x 5' open front porch made of wolmanized wood in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.13(b)(4) of the Cleveland Codified Ordinances which states that open front porches shall not be less than 10 feet from property line and the appellant is proposing 5 feet 1inch.(Filed April 16, 2019)

9:30

Calendar No. 19-75:

3977 Wendy Drive

Ward 1

Joseph T. Jones

20 Notices

Quemonte Leonard, owner, proposes to establish use as a Type A daycare in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(c) which states that childcare use in a One or Two Family Residential District is permitted if located not less than 30 feet from any adjoining premises in a residential district and subject to the review and approval of the Board of Zoning Appeals. (April 23, 2019)

9:30

Calendar No. 19-77:

4001 John Ave

Ward 3

Kerry McCormack

18 Notices

Patrick Walsh, owner, proposes to erect a 20' x 20' two story accessory garage with single family residence on second floor in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04(a) which states that the required off-street parking of 2 spaces is required and only 1 space is proposed.
2. Section 355.04(a) which states that the minimum floor area in a "B" Area District is 950 square feet and 520 square feet are proposed. This section also states that the minimum lot area is 6,000 square feet and the appellant is proposing 3,960 square feet; the minimum lot width is 40 feet and 30 feet are proposed.
3. Section 357.08(b)(1) the required rear yard shall not be less than the height of the main building or in this case 20 feet, 4 inches and 2 feet 2inches are proposed.
4. Section 357.09(b)(2)(B) which states that the required interior side yard of 5.1 feet and the appellant is proposing 1.4 feet for the dwelling and 4.2 feet for the stairs. The combined interior side yards shall not be less than 10 feet and 6 feet are proposed.
5. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit (Filed April 25, 2019)